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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 OMAR ABDULLAH, et al.,

14 Defendants.

CASE NO. CR17-0291JLR

ORDER

15 **I. INTRODUCTION**

16 On November 6, 2023, the court received a letter from Defendant Abdirashid  
17 Haret, in which Mr. Haret asks the court to “consider the possibility of [his] redemption”  
18 and to “grant mercy.” (Letter (Dkt. # 118) at 1-2.) The court construes the letter as either  
19 (1) a motion for reconsideration of the court’s September 7, 2023 order denying Mr.  
20 Haret’s motion for a reduction in sentence (*see* 9/7/23 Order (Dkt. # 117); 7/26/23 Mot.  
21 (Dkt. # 112)), or (2) a new motion for a reduction in sentence pursuant to 18 U.S.C.  
22 § 3582(c)(1). The court has considered Mr. Haret’s submission, the relevant portions of

1 the record, and the applicable law. Being fully advised, the court DENIES Mr. Haret's  
2 motion.

## 3 II. BACKGROUND

4 Mr. Haret is a 24-year-old inmate who is currently detained at Federal  
5 Correctional Institution ("FCI") Sheridan. *See* Inmate Locator, Fed. Bureau of Prisons,  
6 <https://www.bop.gov/inmateloc/> (last visited Dec. 5, 2023). Under the guise of an illicit  
7 firearm sale, Mr. Haret and an accomplice robbed a federal agent and a confidential  
8 informant at gunpoint. (*See* Presentence Investigation Report ("PSR") (Dkt. # 84  
9 (sealed)) at 5; Superseding Indictment (Dkt. # 36).) Mr. Haret pleaded guilty to assault of  
10 a federal officer, using a firearm during a crime of violence, and robbery of money of the  
11 United States. (*See* Plea Agreement (Dkt. # 73) at 1-2.) On March 25, 2019, the court  
12 sentenced Mr. Haret to 168 months of imprisonment followed by five years of supervised  
13 release. (*See* 3/25/19 Minute Entry (Dkt. # 93); Judgment (Dkt. # 94).) He was  
14 remanded into custody following his sentencing hearing, and his projected release date is  
15 November 4, 2029. (*See* 3/25/19 Minute Entry); Inmate Locator.

16 On July 26, 2023, Mr. Haret filed a motion for a reduction in sentence pursuant to  
17 18 U.S.C. § 3582(c)(1)(A), in which he sought to reduce his term of imprisonment based  
18 on (1) the conditions of confinement at FCI Sheridan, (2) Mr. Haret's post-sentence  
19 rehabilitation, and (3) Mr. Haret's youthfulness at the time of his offenses and his  
20 traumatic personal history. (7/26/23 Mot. 1, 3, 6-7.) The court denied the motion,  
21 concluding that Mr. Haret's asserted bases for relief did not constitute "extraordinary and  
22 compelling" reasons warranting a reduction in sentence. (9/7/23 Order at 5 (citing 18

1 U.S.C. § 3582(c)(1)(A)(i) (authorizing the district court to reduce an inmate’s sentence  
2 where “extraordinary and compelling reasons warrant such a reduction”)).)

### 3 III. ANALYSIS

4 As noted, the court construes Mr. Haret’s November 4, 2023 letter as either (1) a  
5 motion for reconsideration of the court’s September 7, 2023 order, or (2) a new motion  
6 for a reduction in sentence. The court addresses each motion in turn.

#### 7 A. Motion for Reconsideration

8 “Motions for reconsideration are disfavored,” and the court “will ordinarily deny  
9 such motions in the absence of a showing of manifest error in the prior ruling or a  
10 showing of new facts or legal authority which could not have been brought to its attention  
11 earlier with reasonable diligence.” Local Rules W.D. Wash. LCrR 12(b)(13)(A); *see also*  
12 *id.* 12(b)(13)(B) (“The motion shall point out with specificity the matters which the  
13 movant believes were overlooked or misapprehended by the court,” and “[f]ailure to  
14 comply with this subsection may in itself be grounds for denial of the motion.”). Here,  
15 Mr. Haret merely renews the arguments he raised in his prior motion regarding his youth,  
16 background, and rehabilitation. (*Compare* Letter, *with* 7/26/23 Mot.) The court carefully  
17 considered these arguments in analyzing the previous motion and nonetheless concluded  
18 that Mr. Haret failed to make the requisite showing of extraordinary and compelling  
19 reasons warranting a reduction in sentence. (*See* 9/7/23 Order at 8-10.) Thus, Mr. Haret  
20 fails to show manifest error in the prior ruling or new facts or authority that could not  
21 have been brought to the court’s attention earlier with reasonable diligence. Local Rules

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1 W.D. Wash. LCrR 12(b)(13)(a). The court therefore DENIES Mr. Haret's motion for  
2 reconsideration.

3 **B. Motion for Reduction in Sentence**

4 The court next addresses Mr. Haret's request for a reduction in sentence pursuant  
5 to 18 U.S.C. § 3582(c)(1). A court generally may not correct or modify a prison sentence  
6 once it has been imposed, unless permitted by statute or by Federal Rule of Criminal  
7 Procedure 35. *United States v. Penna*, 315 F.3d 509, 511 (9th Cir. 2003); *see also Dillon*  
8 *v. United States*, 506 U.S. 817, 824-25 (2010). 18 U.S.C. § 3582(c)(1), as amended by  
9 the First Step Act of 2018, "allows certain inmates to seek a form of sentence  
10 modification," commonly referred to as compassionate release, "by filing motions to that  
11 effect with the district court." *See United States v. King*, 24 F.4th 1226, 1228 (9th Cir.  
12 2022); *Riley v. United States*, No. C19-1522JLR, 2020 WL 1819838, at \*5 (W.D. Wash.  
13 Apr. 10, 2020). Under § 3582(c)(1), courts have the authority to reduce a sentence upon  
14 the motion of an inmate if three conditions are met: (1) the inmate has either exhausted  
15 their administrative appeal rights of the Bureau of Prisons' ("BOP") failure to bring such  
16 a motion on the inmate's behalf or has waited until 30 days after the applicable warden  
17 has received such a request; (2) the inmate has established "extraordinary and compelling  
18 reasons" for the requested sentence reduction; and (3) the reduction is consistent with  
19 "applicable policy statements" issued by the United States Sentencing Commission. *See*  
20 18 U.S.C. § 3582(c)(1)(A)(i); *see also Riley*, 2020 WL 1819838, at \*5. If the inmate  
21 meets all three conditions, the court must consider the sentencing factors set forth in 18

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1 U.S.C. § 3553(a) when deciding whether compassionate release is appropriate. *See* 18  
2 U.S.C. § 3582(c)(1)(A).

3 Here, Mr. Haret fails to meet the first condition: exhaustion of his administrative  
4 remedies. *See* 18 U.S.C. § 3582(c)(1)(A) (imposing administrative exhaustion  
5 requirement). Mr. Haret has neither alleged nor provided evidence that he submitted a  
6 request for a reduction in sentence to the warden at FCI Sheridan. (*See generally* Letter.)  
7 Accordingly, Mr. Haret has not exhausted his administrative remedies, and the court need  
8 not address whether he has established extraordinary and compelling reasons for a  
9 sentence reduction, whether such a reduction is consistent with the policy statements of  
10 the Sentencing Commission, or whether a reduction would be consistent with the factors  
11 set forth in 18 U.S.C. § 3553(a). *See* 18 U.S.C. § 3582(c)(1)(A)(i); *see also* *Riley*, 2020  
12 WL 1819838, at \*5. The court therefore DENIES Mr. Haret's motion for a reduction in  
13 sentence.

#### 14 IV. CONCLUSION

15 For the foregoing reasons, the court DENIES Mr. Haret's motion (Dkt. # 118).

16 Dated this 6th day of December, 2023.

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18 JAMES L. ROBART  
19 United States District Judge  
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